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PROJECT NO. 53140

**REVIEW OF TEXAS UNIVERSAL
SERVICE FUND**

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**PUBLIC UTILITY COMMISSION
OF TEXAS**

REPLY COMMENTS OF DIALTONE SERVICES, L.P.

NOW COMES DialToneServices, L.P. (DTS) and files these Reply Comments in Project 53140.

I. REPLY TO TEXAS TELEPHONE ASSOCIATION

The Texas Telephone Association, referring to the ILEC subsidy increases under SB 586, states, “This sort of funding stability should incentivize telecommunications infrastructure investments in the most rural/high-cost areas where resources are so desperately needed.” (TTA Comments, p. 7). DTS disagrees that the manner in which §26.407 is being applied incentivizes investment in the most rural and high cost areas of Texas. Unless and until the PUC provides the same per line support for every Eligible Telecommunications Provider (ETP), as is required by the Commission’s rule, the only incentive is for the incumbent LECs.

There are definite benefits in having non-traditional providers in rural Texas. The majority of DTS’s customers are unable to acquire landline or cellular service because they are so remote. DTS’s first customer was 29 miles from a paved road. About a third of DTS customers are first responders, including those providing homeland security and police services, as well as border patrol and sheriff’s offices. As one example, because DTS service is a satellite-based technology, DTS is able to connect sheriff patrol cars for a five-county area among different sheriff’s jurisdictions. If there is a critical emergency, with one push to talk button on the satellite phones,


the sheriffs can communicate information about a developing crime situation covering a large area. This service is unavailable from traditional ILECs or even wireless providers. Moreover, DTS has been told that many first responders prefer satellite telephones because they are more secure than cellular telephones from cartel monitoring and cannot be detected by triangulating positions, as is sometimes possible with cellular phones.

Yet, as described in DTS's Comments, because the PUC has not implemented §26.407(j)(3), DTS receives a significantly lower per line support by area as received by the ILECs. DTS re-urges the Commission to direct staff to implement fully section (j)(3) of the rule which is essential for true competitive neutrality and incentivization. As described in DTS's initial comments DTS further urges that the Commission direct staff to conduct a true-up from 2019 to the present to ensure all carriers with ETP designation by the PUC are treated equally from the perspective of receiving the same TUSF per line support, as required by §26.407(j)(3).

Dated the 18th day of April 2022

Respectfully submitted,

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